

**UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF NEW YORK**

Chem RX Pharmacy Services, LLC

Plaintiff,

Civil Action: 6:13-CV-1216 (FJS/ATB)

vs.

Folts Home dba/Folts Homes; Folts, Inc.
dba/Folts Homes

Defendants.

APPEARANCES:
FOR PLAINTIFF

OF COUNSEL:

Fultz, Maddox Law Firm
101 S. Fifth Street, 27th floor
Louisville, KY 40202

Benjamin C. Fultz, Esq.
Jennifer M. Stinnett, Esq.
Matthew C. Williams, Esq.

FOR DEFENDANT:

Hinman Howard Law Firm
80 Exchange Street
Binghamton, New York 13902

Daniel R. Norton, Esq.
Harvey D. Mervis, Esq.

FREDERICK J. SCULLIN, JR.
SENIOR U.S. DISTRICT JUDGE

**JUDGMENT DISMISSING ACTION
BY REASON OF SETTLEMENT**

The parties have entered into an agreement in settlement of all claims in this action, and that they reasonably anticipate finalizing their agreement within 30 days, following which this action will be discontinued by stipulation pursuant to Rule 41 (a) (1) (ii) of the Federal Rules of Civil Procedure. Based upon this

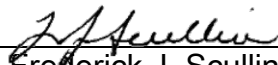
development, it is no longer necessary for this action to remain on the court's active docket.

It is therefore hereby

ORDERED that

- 1) This action is dismissed, without prejudice, except as set forth below.
- 2) The court will retain complete jurisdiction to vacate this order and to reopen the action within two months from the date of this order upon good cause shown that the settlement has not been completed and further litigation is necessary.
- 3) The Clerk shall forthwith serve copies of this judgment upon the parties and/or their attorneys appearing in this action by electronic means.

Dated: May 1, 2014
Syracuse, New York



Hon. Frederick J. Scullin, Jr.
Senior U.S. District Judge